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8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. **2011-123**

12  
13 **ANNA JEANETTE CUE**  
a.k.a. Anna Jeanette Brooks  
14 a.k.a. Anna Jeanette Ray  
15 a.k.a. Anna Jeanette Richeson  
a.k.a. Jeanette Williams  
16 a.k.a. Anna Jeanette Vandyke  
2805 Broadmoor Avenue, Apt. D  
17 Concord, CA 94520-4776

**ACCUSATION**

18 **Registered Nurse License No. 637679**

19 Respondent.

20  
21 Complainant alleges:

22 **PARTIES**

23 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
24 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
25 of Consumer Affairs.

26 2. On or about May 25, 2004, the Board of Registered Nursing issued Registered Nurse  
27 License Number 637679 to Anna Jeanette Cue, also known as Anna Jeanette Brooks, Anna  
28 Jeanette Ray, Anna Jeanette Richeson, Anna Jeanette Williams, and Anna Jeanette Vandyke

1 (Respondent). The Registered Nurse License was in full force and effect at all times relevant to  
2 the charges brought herein and will expire on December 31, 2011, unless renewed.

### 3 JURISDICTION

4 3. This Accusation is brought before the Board of Registered Nursing (Board),  
5 Department of Consumer Affairs, under the authority of the following laws. All section  
6 references are to the Business and Professions Code unless otherwise indicated.

7 4. Section 2750 of Code provides, in pertinent part, that the Board may discipline any  
8 licensee, including a licensee holding a temporary or an inactive license, for any reason provided  
9 in Article 3 (commencing with section 2750) of the Nursing Practice Act.

10 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license  
11 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the  
12 licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the  
13 Code, the Board may renew an expired license at any time within eight years after the expiration.

### 14 STATUTORY PROVISIONS

15 6. Section 2761(a) of the Code provides that the Board may take disciplinary action  
16 against a certified or licensed nurse for unprofessional conduct.

17 7. Section 2762 of the Code states, in pertinent part:

18 "In addition to other acts constituting unprofessional conduct within the meaning of this  
19 chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this  
20 chapter to do any of the following:

21 "(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed  
22 physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or  
23 administer to another, any controlled substance as defined in Division 10 (commencing with  
24 Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as  
25 defined in Section 4022.

26 "(b) Use any controlled substance as defined in Division 10 (commencing with Section  
27 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in  
28 Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to

1 himself or herself, any other person, or the public or to the extent that such use impairs his or her  
2 ability to conduct with safety to the public the practice authorized by his or her license. "

### 3 COST RECOVERY

4 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
5 administrative law judge to direct a licentiate found to have committed a violation or violations of  
6 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
7 enforcement of the case.

### 8 DRUGS

9 9. Methamphetamine is a Schedule II controlled substance per Health and Safety Code  
10 section 11055(d)(2). It is a highly addictive drug with potent central nervous system stimulant  
11 properties.

### 12 FACTS

13 10. Respondent obtained and used methamphetamine, without a prescription, on and off  
14 for approximately 22 years, beginning in or around 1987 at about age 14, and continuing until  
15 January 2009, when Respondent was 36 years old. During some of those periods, Respondent  
16 injected herself intravenously with up to two grams of methamphetamine a day. In or around  
17 2007 and 2008, while working as a registered nurse at John Muir Medical Center in Concord,  
18 Sutter Delta Medical Center in Antioch, and San Ramon Regional Medical Center in San Ramon,  
19 Respondent injected herself intravenously with methamphetamine on more than 20 occasions  
20 while at work. In addition, Respondent used methamphetamine during two pregnancies, with one  
21 child being born in or around September 2007, and another child being born in or around  
22 November 2008.

### 23 FIRST CAUSE FOR DISCIPLINE

24 (Unprofessional Conduct: Unlawful Self-Administration of Controlled Substance)

25 11. Respondent has subjected her registered nurse license to discipline under sections  
26 2761(a) and 2762(a) of the Code in that she unlawfully obtained, possessed, or self-administered  
27 a controlled substance. The circumstances are set forth in paragraphs 9-10, above.  
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